

REMARKS:

In the outstanding Office Action, the Examiner objected to the drawings and the Specification and rejected claims 1-18. FIGS. 5 and 6 and the Specification are amended herein. No new matter is presented. Thus, claims 1-18 are pending and under consideration. The rejections are traversed below.

OBJECTION TO THE SPECIFICATION:

At item 2 of the outstanding Office Action, the Examiner objected to the Specification. The Specification is amended herein.

Therefore, withdrawal of the objection is respectfully requested.

OBJECTION TO THE DRAWINGS:

At item 1 of the outstanding Office Action, the Examiner objected to the figures as filed. FIGS. 5 and 6 are amended herein.

Therefore, withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a):

Claims 1, 2, 5, 6, 9, 10, 13, 14, 17 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of: U.S. Patent No. 5,581,342 (Yamauchi) and U.S. Patent 4,941,022 (Ohmura).

Claims 3, 7, 8, 11, 15 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamauchi, Ohmura, U.S. Patent No. 5,708,952 (Taniguchi), and claims 4 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamauchi, Ohmura and U.S. Patent No. 4,841,333 (Damji).

Yamauchi is directed to an image forming apparatus having a waste-toner collecting container located in the rear part thereof and can be removed from the front side of the image forming apparatus body for replacement. In Yamauchi, a collecting container (40) is detachably placed on a holding plate (81) that is supported by a plate supporting member (82) (see, col. 12, lines 3-9). A pair of right and left springs (83) are provided between the rearward undersurface of the holding plate (81) and the plate supporting member (82) causing the holding plate (81) to pivot between a horizontal position when the collecting container (40) is empty and a full-state position when the same is full urging the force of the springs (83) (see, FIGS. 10 and 11 and col.

12, lines 27-37). Thus, Yamauchi is limited to moving a waste toner container from a mounted position to a demounting position for removal of the container.

The Examiner acknowledges that Yamauchi does not disclose an opening and closing unit to open and close the exhaust hole, thus relies on Ohmura as disclosing the same. However, in Ohmura a shutter (43) is interlocked with an operating lever (42) that changes the position of a toner conveyance pipe (41) such that the operating lever (42) causes the shutter (43) to open and close based on whether the toner conveyance pipe is connected or disconnected (see, col. 8, lines 4-15 and col. 7, lines 59-68).

Independent claims 1, 9 and 18 recite, “an inlet guide member comprising an inlet path to connect the exhaust hole to an inlet of a waste toner collection tank” and “an elastic member to elastically support the inlet guide member so that a gap between the exhaust hole and an inlet side of the inlet path is respectively adjusted when the exhaust guide member ascends and descends”.

Independent claim 17 recites that a method of collecting toner of an electrophotographic printer includes, “closely adhering exhaust hole and an inlet side of the inlet path to each other” and “closing the exhaust hole via the opening and closing unit before the exhaust hole is spaced from the inlet side of the inlet path”.

The combination of Yamauchi and Ohmura does not teach or suggest, “an elastic member to elastically support the inlet guide member so that a gap between the exhaust hole and an inlet side of the inlet path is respectively adjusted when the exhaust guide member ascends and descends”, as recited in claims 1, 9 and 18, and “closely adhering exhaust hole and an inlet side of the inlet path to each other” and “closing the exhaust hole via the opening and closing unit before the exhaust hole is spaced from the inlet side of the inlet path”, as recited in claim 17.

It is submitted that the independent claims 1, 9, 17 and 18 are patentable over Yamauchi and Ohmura.

It is submitted that the independent claims are patentable over Yamauchi and Ohmura.

For at least the above-mentioned reasons, claims depending from independent claims 1 and 9 are patentably distinguishable over Yamauchi and Ohmura. The dependent claims are also independently patentable. For example, as recited in claim 2, “when the exhaust guide member descends, the opening and closing unit starts to open the exhaust hole in a state where

the exhaust hole and the inlet side of the inlet path are closely adhered to each” and “when the exhaust guide member ascends, the opening and closing unit completes a closing operation of the exhaust hole before the exhaust hole is spaced from the inlet side of the inlet path”.

The combination of Yamauchi and Ohmura does not teach or suggest that “the opening and closing unit starts to open the exhaust hole in a state where the exhaust hole and the inlet side of the inlet path are closely adhered to each” when the exhaust guide member descends, and “the opening and closing unit completes a closing operation of the exhaust hole before the exhaust hole is spaced from the inlet side of the inlet path” when the exhaust guide member ascends, as recited in claim 2

Therefore, withdrawal of the rejection is respectfully requested.

The Examiner also uses various combinations of Yamauchi, Ohmura, Taniguchi and Damji to reject dependent claims 3, 4, 7, 8, 11, 12, 15 and 16.

However, Taniguchi is limited to a sealing member (130) surrounding a toner receiving opening (128) that is provided on the surface of a toner-recovering container (126) (see, col. 11, lines 46-49 and FIG. 8), and Damji is directed to using a combination of a sealing shutter and an opaque shutter that are linked to form a unitary member where the sealing shutter is consequently moved back to open a developer housing and the opaque shutter is moved back to open an optics aperture (see, col. 7, lines 43-60).

Claim 3 recites that the present invention includes, “an elastic sealing member installed to the inlet side of the inlet path to elastically close a gap between the exhaust hole and the inlet side of the inlet path as the exhaust guide member ascends and descends”.

The combination of Yamauchi, Ohmura and Taniguchi does not teach or suggest, “an elastic sealing member installed to the inlet side of the inlet path to elastically close a gap between the exhaust hole and the inlet side of the inlet path as the exhaust guide member ascends and descends”, as recited in dependent claim 3. For at least the same reasons, dependent claims 7, 8, 11, 15 and 16 reciting similar features are also patentable over the combination of Yamauchi, Ohmura and Taniguchi.

Claims 4 and 12 recites, “a shutter rotatably installed to the exhaust guide member to open and close the exhaust hole” and “a rack engaged with the pinion to rotate the shutter when the exhaust guide member ascends and descends”.

The combination of Yamauchi, Ohmura, Taniguchi and Damji does not teach or suggest,

"a shutter rotatably installed to the exhaust guide member to open and close the exhaust hole" and "a rack engaged with the pinion to rotate the shutter when the exhaust guide member ascends and descends", as recited in claims 4 and 12.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: _____

8/1/15

By: _____

J. Randall Beckers

J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

AMENDMENTS TO THE DRAWINGS:

The attached drawings include replacement sheets FIGS. 5 and 6 (2 sheets). The sheets containing FIGS. 5 and 6 replace the original sheets including FIGS. 5 and 6.

For the convenience of the Examiner, an annotated sheet showing the changes to FIGS. FIGS. 5 and 6 are attached.

Approval of the drawings is respectfully requested.

FIG. 5

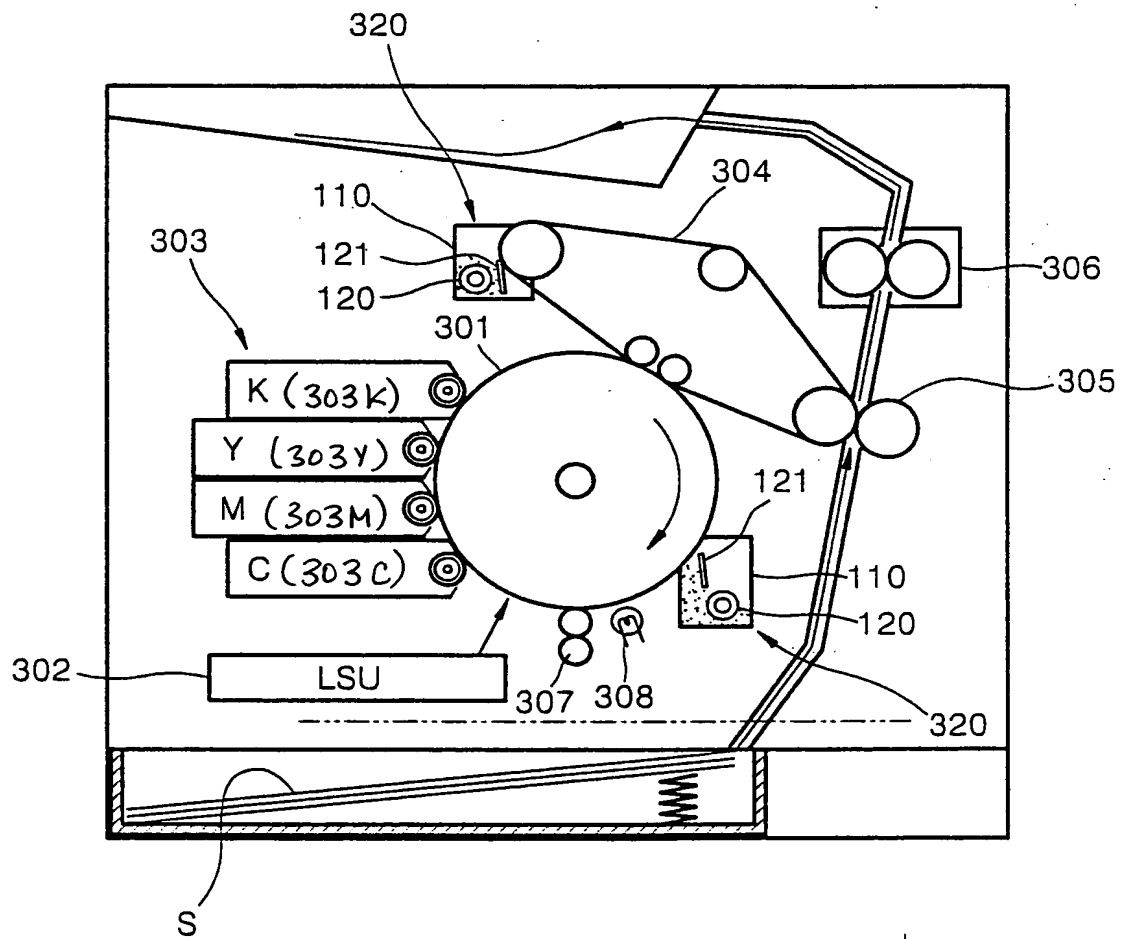


FIG. 6

